



General Assembly

February Session, 2004

Raised Bill No. 5447

LCO No. 1620

01620_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT CONCERNING DISTRIBUTION OF LITERATURE TO
EMPLOYEES ON EMPLOYER PREMISES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) No employer, and no
2 person who leases private property to an employer, shall prohibit an
3 individual or group of individuals from entering private property
4 owned or leased by the employer, which property is held out for
5 public use, for the purpose of distributing literature to the employees
6 or patrons of the employer if (1) the literature is distributed by an
7 individual or group of individuals with a bona fide interest in
8 communicating with the employees; (2) the employer has, during the
9 employees' regular working hours or during normal business hours,
10 communicated or expressed a position to the employees or patrons
11 about issues that the individual or group of individuals wishes to
12 counter or address; and (3) the distribution of such literature to the
13 employees or patrons at a location adjacent to or near the employer's
14 private or leased premises would (A) expose the individual, group of
15 individuals, employees or patrons to a risk of physical injury,
16 including, but not limited to, injury from passing motorists, (B) require

17 the employees or patrons to stop a car on a public highway or public
18 road or take some other action making the voluntary receipt of the
19 literature difficult or disruptive to traffic, or (C) likely result in
20 employees or patrons of an unrelated business or entity being asked to
21 receive the literature in order to ensure that the intended recipients
22 actually receive the literature. For purposes of this section, "employer"
23 means an individual, corporation, partnership or unincorporated
24 association.

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| This act shall take effect as follows: | |
| Section 1 | <i>October 1, 2004</i> |

Statement of Purpose:

To prohibit employers from asserting private property rights to deny access to their premises to individuals with a bona fide interest in communicating with their employees or patrons.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]